

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION

TRAXCELL TECHNOLOGIES, LLC.,  
Plaintiff,  
v.  
CELLCO PARTNERSHIP,  
Defendant

Case No. 6:24-mc-00613-ADA

Jury Trial Demanded

FINAL JUDGMENT

Plaintiff Traxcell Technologies, LLC. (“Traxcell”) and Defendant Cellco Partnership (“Verizon”) (collectively, “the Parties”) jointly stipulate for final judgment, subject to Traxcell’s right to appeal, in light of the Court’s Order<sup>1</sup> denying Traxcell’s Temporary Restraining Order and Motion for Preliminary Injunction, as the Court’s Order found “Traxcell has no reasonable likelihood of prevailing in this case because the Verizon Fee Order is not void under Rule 60(b)(4).2.”<sup>2</sup> Thus, Traxcell cannot establish a required element of its cause of action under Rule 60(d)(1), that the Verizon Fee Award is void. Traxcell seeks to appeal the Court’s Order’s finding that the Verizon Fee Award is not void. The parties thus stipulate that final judgment should be entered against Traxcell’s sole cause of action under Rule 60(d)(1) seeking to void the Verizon Fee Award, with prejudice, subject to Traxcell’s right of appeal.

The Court enters Final Judgment in this case with respect to Defendant Cellco Partnership. For reasons assigned in the Order previously entered, it is hereby **ORDERED** that Plaintiff’s claims against Defendant Cellco partnership are **DISMISSED WITH PREJUDICE**.

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<sup>1</sup> Doc. No. 25.

<sup>2</sup> Id. at 15.

All other relief not specifically granted is denied as moot. Traxcell takes nothing and Verizon is the prevailing party.

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Date

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Judge Alan D. Albright